



**US Army Corps
of Engineers.**

Public Notice

Public Notice No. **05-96**

Date: November 17, 2005

Nashville District

Application No. **200500861**

Please address all comments to:
Nashville District Corps of Engineers, Regulatory Branch
3701 Bell Road, Nashville, TN 37214

JOINT PUBLIC NOTICE
US ARMY CORPS OF ENGINEERS
AND
TENNESSEE VALLEY AUTHORITY

SUBJECT: Existing Wetland Fill and Channel Relocation for Kedron Road Bypass, Unnamed Tributary Mile 0.3, a tributary to McCutcheon Creek Mile 3.0L, in Spring Hill, Maury County, Tennessee

TO ALL CONCERNED: The application described below has been submitted for a After-the-Fact (ATF) Department of the Army Permit pursuant to **Section 404 of the Clean Water Act (CWA)** for the discharge of fill material into waters of the United States, and a Tennessee Valley Authority (TVA) permit pursuant to **Section 26a of the TVA Act**. Before an ATF permit can be issued, certification must be provided by the state of Tennessee, pursuant to **Section 401(1)(1) of the CWA**, that applicable water quality standards will not be violated. The applicant has applied for the required water quality certification by separate application.

APPLICANT: City of Spring Hill
P.O. Box 789
Spring Hill, Tennessee 37174

LOCATION: Wetlands adjacent to Unnamed Tributary, and Channel Relocation on Unnamed Tributary Mile 0.3, a tributary to McCutcheon Creek, a tributary to Duck River Mile 130.4R, for the new Kedron Road Bypass from SR-31 to Old Kedron Road, in Spring Hill, Maury County, Tennessee (Spring Hill Quad; lat 35-45-9.900, lon 86-55-17.8320)

DESCRIPTION: The existing project involves the applicant constructing a new roadway to connect SR-31 and Old Kedron Road. During the land clearing activities, existing wetlands were filled and an unnamed tributary relocated. Upon notification, the city stopped all work and applied for ATF permit for the wetland fill and channel relocation with proposed mitigation to allow the continuation of the road construction. Therefore, the existing work consists of the placement of fill material into four wetland areas for a

total of 1.32 acres of permanent impacts. The applicant has proposed a combination of onsite and offsite mitigation. The applicant has reached an agreement with the adjacent property owner to the roadway for onsite mitigation of two separate wetland areas. Wetland Mitigation Site 1 would involve preservation of 1.83 acres of forested wetland, and at 10:1 ratio, would provide 0.18 credits of mitigation. Wetland Mitigation Site 2 would involve restoration of 0.76 acres of previously farmed wetland area. At a 2:1 ratio, this area would provide 0.38 credits. This site would be reforested with native bottomland hardwood tree species and shrubs at the rate of 400 stems per acre. Proposed species include an even mix of water oak, pin oak, red maple, winterberry, and silky dogwood. These mitigation areas would be placed within a permanent conservation easement by the city of Spring Hill. The onsite mitigation would total 0.56 credits; therefore, an additional 0.76 acres of mitigation is needed to obtain the existing project impact of 1.32 acres. Due to the expensive cost of land in this area from the increased development potential, the applicant has proposed to meet the wetland credit requirement by purchasing 1.52 credits (2:1 ratio) from the Harpeth Wetland Mitigation Bank.

During construction of the new roadway, approximately 346' of a small perennial stream was filled and relocated into a new 300' channel (which does not include 55' of culvert for the road crossing). The new channel would be constructed as to mimic the existing channel's dimensions. The new channel would incorporate three log drop structures, placed approximately 100' apart, to create an in-channel meandering effect. A high flow channel would be constructed adjacent to the channel and planted with willow stakes placed on 8' centers. Approximately 46' of the unnamed tributary was permanently lost. The applicant proposes mitigation for this stream loss by onsite mitigation efforts that include constructing a stream and wildlife corridor to connect the two wetland mitigation areas and provide a stream buffer zone along the same unnamed tributary. The proposed stream buffer and wildlife corridor are shown as Mitigation Site #4 on the plans and involves a total of 273' of stream length. This corridor would connect Wetland Mitigation Sites 1 and 2 and would involve 0.32 acres of permanent conservation of a 50' wide riparian corridor (25' on each stream bank). The proposed work would classify as Enhancement I under the stream mitigation guidelines of the state of Tennessee, which the applicant proposes credit at a 6:1 ratio, which would provide 45.5 mitigation credits (to offset the 46' of stream loss). In addition, the applicant has agreed to preserve another 600' of stream and wetland buffer along the unnamed tributary, as shown as Mitigation Area #3, for a total of 0.87 acres, which is not included in the mitigation credits. All mitigation areas would be placed within a permanent conservation easement by the city of Spring Hill. Trees would also be planted at the culvert outlets and inlets along the roadway.

The applicant proposed monitoring of the stream and wetland mitigation areas and would be performed for five years. Survival of planted trees would be guaranteed at 75% over the 5-year period with an annual report submitted to the permitting agencies.

Approximately 0.70 acres of wetlands would be impacted temporarily during construction. However, these areas would be restored to their original elevations and seeded and planted with native tree species.

The purpose of the work would be to allow the construction of the Kedron Road Bypass to relief the current highway traffic and accommodate future highway traffic through this area that is experiencing heavy population growth.

Plans of the proposed and existing work are attached to this notice.

The decision whether to issue a permit will be based on an evaluation of the probable impacts including cumulative impacts of the activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the work must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the work will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, cultural values, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shore erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership, and, in general, the needs and welfare of the people. In addition, the evaluation of the impact of the activity on the public interest will include application of the guidelines promulgated by the Administrator, Environmental Protection Agency, under authority of Section 404(b)(1) of the CWA (40 CFR Part 230). A permit will be granted unless the District Engineer determines that it would be contrary to the public interest.

The Corps of Engineers is soliciting comments from the public; federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition, or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in the preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

An Environmental Assessment will be prepared by this office prior to a final decision concerning issuance or denial of the requested Department of the Army Permit.

The National Register of Historic Places has been consulted and no properties listed in or eligible for the National Register are known which would be affected by the proposed work. This review constitutes the full extent of cultural resources investigations unless

comment to this notice is received documenting that significant sites or properties exist which may be affected by this work, or that adequately documents that a potential exists for the location of significant sites or properties within the permit area. Copies of this notice are being sent to the office of the State Historic Preservation Officer. Based on available information, the proposed work will not destroy or endanger any Federally-listed threatened or endangered species or their critical habitats, as identified under the Endangered Species Act. Therefore, we have reached a no effect determination and initiation of formal consultation procedures with the U.S. Fish and Wildlife Service is not planned at this time.

Other federal, state, and/or local approvals required for the proposed work are as follows:

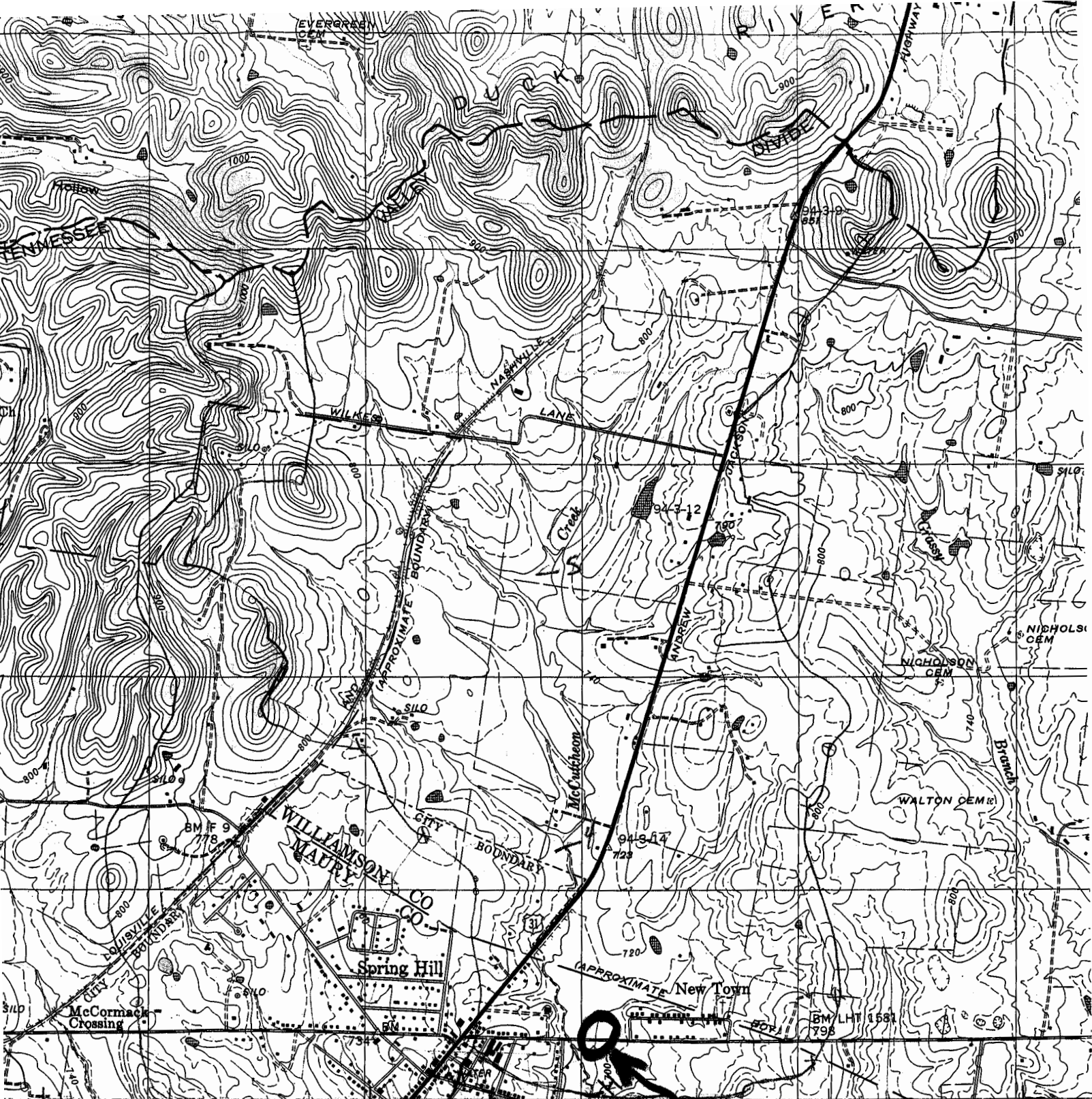
Tennessee Valley Authority (TVA) approval is required under Section 26a of the TVA Act for the proposed work. In addition to other provisions of its approval, TVA would require the applicant to employ best management practices to control erosion and sedimentation, as necessary, to prevent adverse aquatic impacts.

Water Quality Certification from the state of Tennessee, Department of Environment and Conservation (TDEC) is required for the proposed work in accordance with Section 401(a)(1) of the Clean Water Act.

A "No-Rise" Certification from the city of Spring Hill, Tennessee in accordance with Federal Emergency Management Agency (FEMA) floodplain regulations.

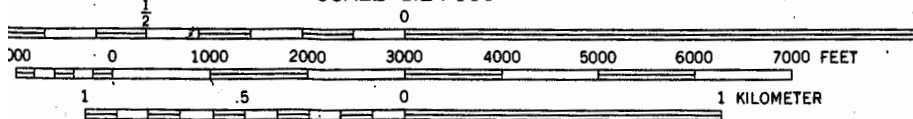
Any person may request, in writing, within the comment period specified in this notice, that a public hearing be held to consider this application. Requests for public hearings shall state, with particularity, the reasons for holding a public hearing.

Written statements received in this office on or before December 19, 2005, will become a part of the record and will be considered in the determination. Any response to this notice should be directed to the Regulatory Branch, Attention: Amy Robinson, at the above address, telephone (615) 369-7509. It is not necessary to comment separately to TVA since copies of all comments will be sent to that agency and will become part of its record on the proposal. However, if comments are sent to TVA, they should be mailed to Samantha Strickland, Tennessee Valley Authority, P.O. Box 1010, Muscle Shoals, Alabama 35662-1010. Also, TDEC will issue a separate public notice for the proposed work. If comments are sent to TDEC, they should be mailed to Mike Lee, Tennessee Department of Environment & Conservation, 7th Floor L&C Annex, 401 Church Street, Nashville, Tennessee 37243-1534.



(CARTERS CREEK 64-NW)
3656 III NW

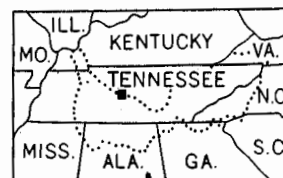
SCALE 1:24 000



CONTOUR INTERVAL 20 FEET

DASHED LINES REPRESENT HALF-INTERVAL CONTOURS
NATIONAL GEODETIC VERTICAL DATUM OF 1929

File No.
200500861
PN 05-96



QUADRANGLE LOCATION

SPRING Hill QUAO

FOR SALE BY U.S. GEOLOGICAL SURVEY, RESTON, VIRGINIA 22092

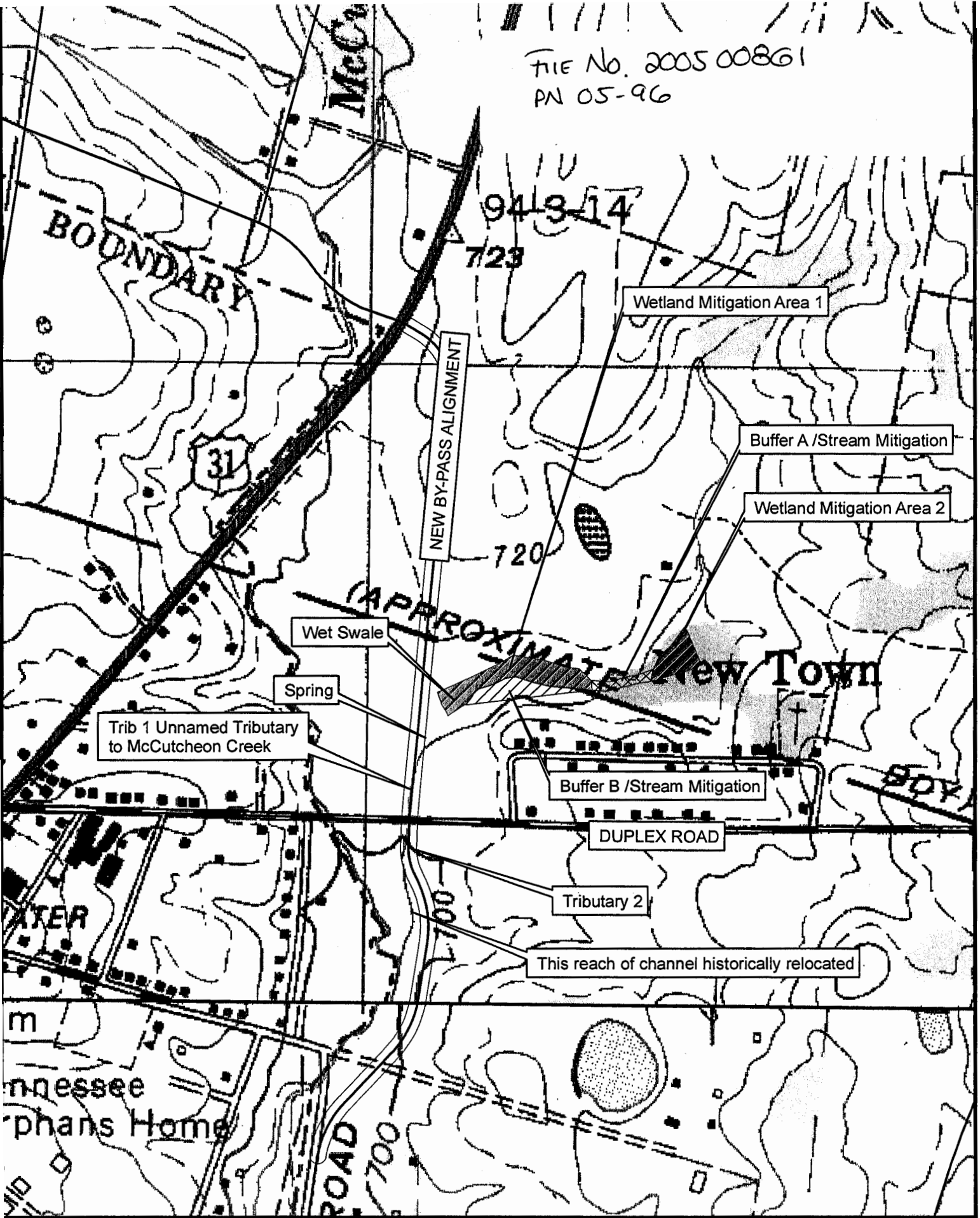
TENNESSEE DIVISION OF GEOLOGY, NASHVILLE, TENN. 37219

SEE VALLEY AUTHORITY, CHATTANOOGA, TENN. 37401 OR KNOXVILLE, TENN. 37902

FOLDER DESCRIBING TOPOGRAPHIC MAPS AND SYMBOLS IS AVAILABLE ON REQUEST

Five purple dashed lines indicate selected areas

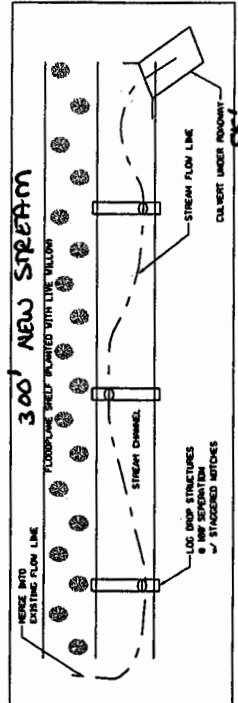
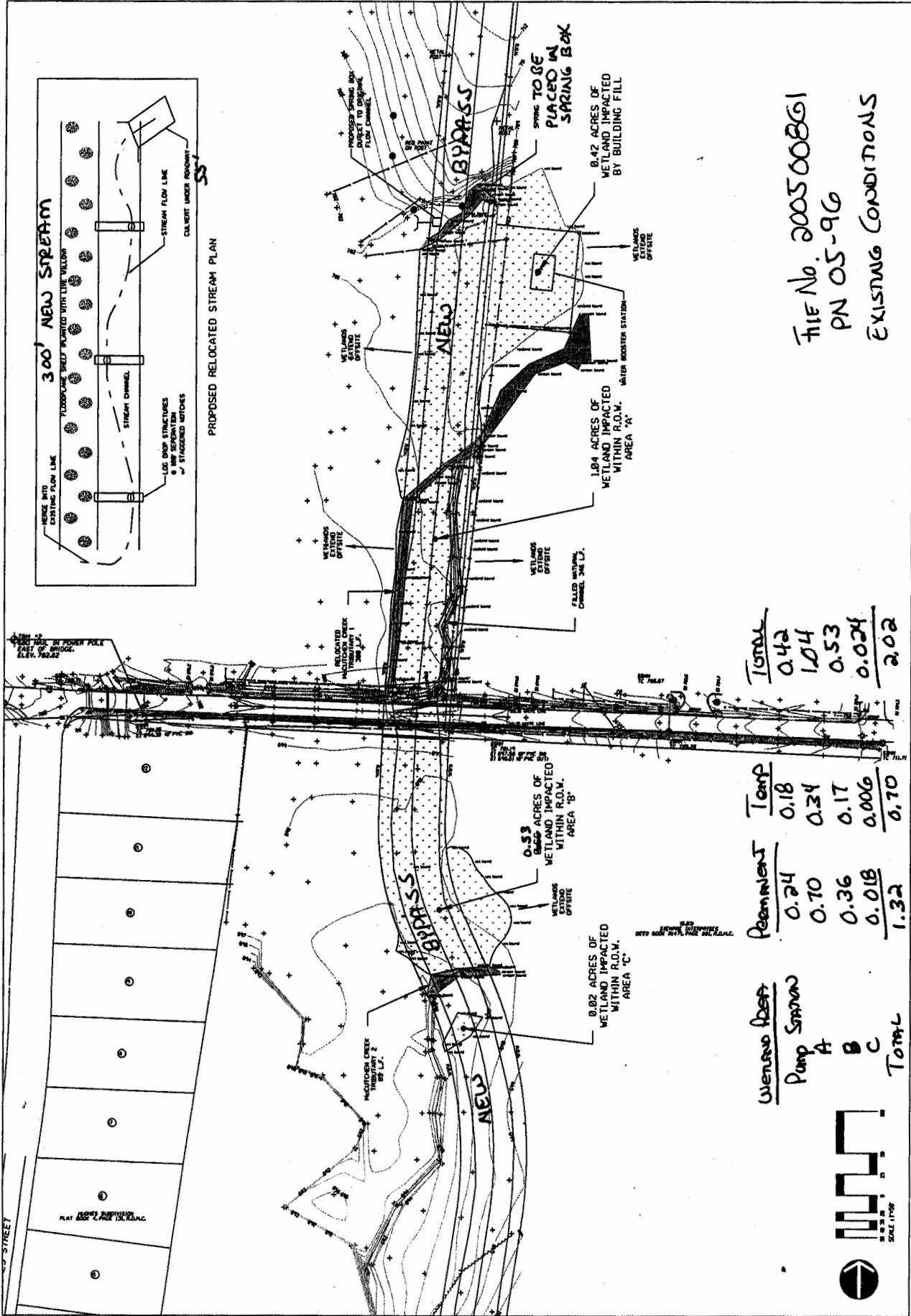
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PN 05-96



Spring Hill Kedron Road Extension
Project Area

330 165 0 330 Feet





PROPOSED RELOCATED STREAM PLAN

Wetland Area	Perennial	Temp	Total
Pump Station	0.24	0.18	0.42
A	0.70	0.34	1.04
B	0.36	0.17	0.53
C	0.018	0.006	0.024
Total	1.32	0.70	2.02



300' NEW STREAM

NEW

BYPASS

NEW

BYPASS

TO BE
PLACED IN
SPRING BOX

0.42 ACRES OF
WETLAND IMPACTED
BY BUILDING FILL

1.04 ACRES OF
WETLAND IMPACTED
WITHIN R.O.W.
AREA 'A'

0.53 ACRES OF
WETLAND IMPACTED
WITHIN R.O.W.
AREA 'B'

0.02 ACRES OF
WETLAND IMPACTED
WITHIN R.O.W.
AREA 'C'

NEUTON CREEK
TRIBUTARY 2
R.O.W.

WETLANDS
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DELINEATION PERFORMED BY CEC; 3/7/05
SURVEY BY SAWYER LAND SURVEYING, LLC
TN LICENSE 1649
Civil & Environmental Consultants, Inc.

DWN BY: CEN
CHKD BY: CC
SCALE: 1"=50'
DATE: 03-23-05

WETLAND DELINEATION
CITY OF SPRING HILL
OLD KEDREN ROAD NOV AREA EAST OF SR-31

MR. KEN YORK, CITY MANAGER
SPRING HILL, TN

CEC PROJECT NUMBER
050-402
DRAWING NUMBER
050-402
SHEET 1 OF 1

FILE No. 200500861
PN 05-96
EXISTING CONDITIONS

Mitigation Potential

- 1-Wetland 1 = 1.83 acres
- 2-Wetland 2 = 0.76 acres
- 3-Stream and Wetland Buffer = 0.87 acres
- 4-Stream Buffer and Wildlife Corridor = 0.32 acres

Wetland 2
Restoration @ 2:1
= 0.38 credits

Stream Mitigation #4
273' of Stream Enhancement @ 6:1
= 45.5 credits
w/ 50' wide Riparian Buffer (0.32 AC)

Wetland 1
Preservation @ 10:1
= 0.18 credits

NEW BY-PASS ALIGNMENT

Stream Mitigation #3
600' Preservation
= 0.87 acres

DUPLEX ROAD

Relocated Stream Section 300'

Wetland Mitigation Impact

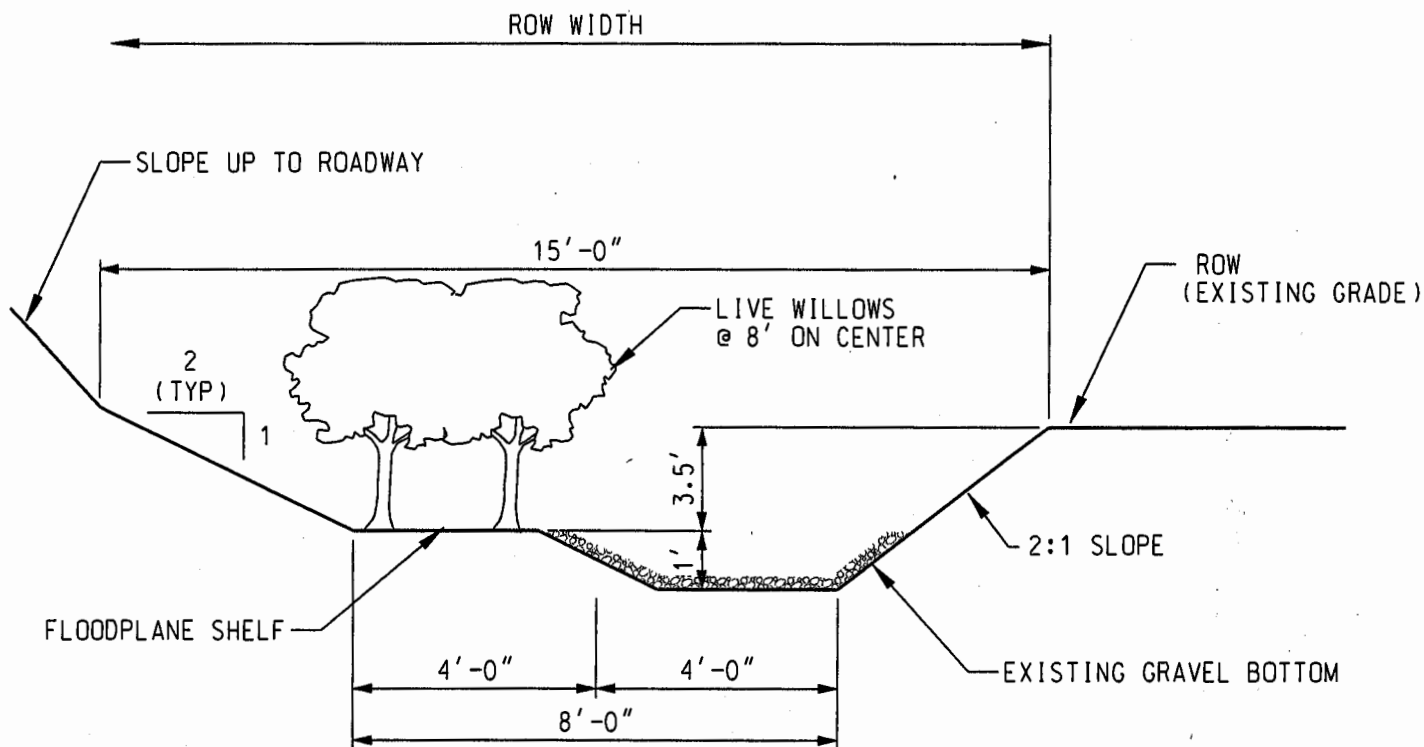
1.32 acres Impacted
- 0.18 credits- Wetland 1
- 0.38 credits- Wetland 2
= 0.76 Remaining Mitigation Needed
@ 2:1 purchase credits
= 1.52 credits to be purchased
from Harpeth Wetland Bank

130 65 0 130 Feet

Potential Mitigation Area
Spring Hill, Tennessee

File No. 200506861
PN 05-96





TREE PLANTING PLAN
LIVE WILLOW STAKES
TO BE PLANTED ON
8' CENTERS TO PROVIDE
SHADE FOR STREAM

PROPOSED STREAM CHANNEL

N.T.S.

File No. 200500861
PN 05-96